

# HOUSE BILL 163

R5

2lr0784

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By: **Delegate Arora**

Introduced and read first time: January 24, 2012

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Prohibition on Use of Text Messaging Device While Driving**  
3 **– Exceptions**

4 FOR the purpose of establishing that the prohibition on using a text messaging device  
5 while driving does not apply to the use of voice recognition technology that  
6 allows the hands-free sending of a text message or an electronic message or the  
7 use of a text messaging device to listen to a text message or an electronic  
8 message; and generally relating to exceptions to the prohibition on using a text  
9 messaging device while driving.

10 BY repealing and reenacting, with amendments,  
11 Article – Transportation  
12 Section 21–1124.1  
13 Annotated Code of Maryland  
14 (2009 Replacement Volume and 2011 Supplement)  
15 (As enacted by Chapters 194 and 195 of the Acts of the General Assembly of  
16 2009)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Transportation**

20 21–1124.1.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) “9–1–1 system” has the meaning stated in § 1–301 of the Public  
23 Safety Article.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (3)    “Text messaging device” means a hand held device used to send a  
2 text message or an electronic message via a short message service, wireless telephone  
3 service, or electronic communication network.

4           (b)    Subject to subsection (c) of this section, a person may not use a text  
5 messaging device to write, send, or read a text message or an electronic message while  
6 operating a motor vehicle in the travel portion of the roadway.

7           (c)    This section does not apply to the use of:

8                   (1)    A global positioning system; [or]

9                   (2)    A text messaging device to contact a 9–1–1 system;

10                   (3)    **VOICE RECOGNITION TECHNOLOGY THAT ALLOWS THE**  
11 **HANDS–FREE SENDING OF A TEXT MESSAGE OR AN ELECTRONIC MESSAGE; OR**

12                   (4)    **A TEXT MESSAGING DEVICE TO LISTEN TO A TEXT MESSAGE**  
13 **OR AN ELECTRONIC MESSAGE.**

14           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
15 October 1, 2012.